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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

MARK AUSSIEKER and KIMBERLY
AUSSIEKER,

Plaintiffs,

v.

POLICE LIVES MATTER, a political
action committee,

Defendant.

Case No. _____

TO THE CLERK OF COURT AND ALL PARTIES:

PLEASE TAKE NOTICE that the Defendant Police Lives Matter hereby removes to this Court the state court action described below.

1. On or about March 5, 2020, an action was commenced by Plaintiffs in the Superior Court of California for Sacramento County in the Small Claims Division entitled *Mark Aussieker and Kimberly Aussieker v. Police Lives Matter*, 20SC01053 (Sacramento County Superior Court, Small Claims Division).

2. Defendant was served with the complaint by the Clerk of Court by U.S. Mail sent on June 25 and the complaint was received on June 29, 2020. Pursuant to 28 U.S.C. § 1446(b), this notice has been timely filed. A copy of the package sent by the Clerk of Court is attached to this Notice of Removal as Exhibit A.

3. This action is a civil action of which the Court has original jurisdiction under 28 U.S.C. § 1331 because this is an action arising under the laws of the United States, specifically 47 U.S.C. § 227.

4. Paracorp, Incorporated was listed in the Complaint on the line for second defendant, but was only listed as Police Lives Matters' agent for service of process. The Small Claims Court in Sacramento County asks Plaintiffs to put agents for service of process on the Complaint form to accommodate the Clerk of Courts' service of the Complaint on the agent's principal. Consequently, Police Lives Matters does not believe Paracorp, Inc. is a defendant on the merits of this action. To the extent Paracorp's consent is necessary to this removal, Paracorp has no objection to removal.

Respectfully submitted on July 20, 2020.

/s/ Daniel J. Treuden

Certificate of Service

I hereby certify that on July 20, 2020, I mailed a copy of this Notice of Removal to the Plaintiffs at Mark and Kimberly Aussieker, 8830 Olive Ranch Lane, Fair Oaks, CA 95628.

/s/ Daniel J. Treuden
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